

RUTAN & TUCKER LLP

Attorneys at Law

611 Anton Boulevard, 14th Floor

Costa Mesa California 92626-1931

Mailing Address: Post Office Box 1950, Costa Mesa, California 92628-1950

Telephone: 714.641.5100

Facsimile 714.546.9035

**RECEIVED
CENTRAL FAX CENTER**

JUN 30 2005

FACSIMILE TRANSMISSION

DATE: JUNE 30, 2005

To: Hard Copy to Follow via Mail: NO

NAME	FAX NO.	PHONE NO.
USPTO - Examiner Lam, Ann Y. Group No. 1641	703-872-9306	571-272-0822

FROM: Jacquelyn Campbell - 2279

RE: U.S. Patent Application No. 09/977930
Semi-Continuous Blood Separation Using Magnetic Beads
Michael Poirier, et al.

CLIENT/MATTER NO.: 100560.0009US1	NUMBER OF PAGES, INCLUDING COVER: 7
-----------------------------------	-------------------------------------

MESSAGE:

Please see attached response to office action. Thanks.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE TO DELIVER THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

If there are problems receiving this Fax Transmittal please call 714.641.5100, Ext. 1235.

2279/100560.0009US1-
00/00/00

Practitioner's Docket No. 100560.0009US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Poirier, Vijay K. Mahant

Application No.: 09/977,930

Group No.: 1641

Filed: 10/11/2001

Examiner: Lam, Ann Y.

For: SEMI-CONTINUOUS BLOOD SEPARATION USING MAGNETIC BEADS

RECEIVED
CENTRAL FAX CENTER

JUN 30 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail

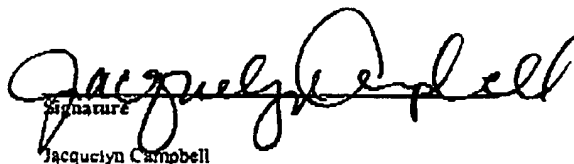
37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

X facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306.

Date: 6/30/05
Signature
Jacquelyn Campbell

(Type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal--page 1 of 2

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)				SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA			RATE		ADDIT. FEE	
TOTAL	6	- 20	= 0	x	\$	25.00	= \$	0.00	
INDEP.	1	- 3	= 0	x	\$	100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+	\$ 0.00	= \$	0.00	
TOTAL ADDIT. FEE								\$	0.00


No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 502191.

If an additional fee for claims is required, charge Account No. 502191.

Date: 06/30/05


 Martin Fessenmaier
 Registration No. 46697
 Rutan & Tucker, LLP
 611 Anton Blvd.
 Suite 1400
 Costa Mesa, CA 92626
 US
 714-641-5100
 Customer No. 34284

Practitioner's Docket No. 100560.0009US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No.: 09/977,930
Applicant: Michael Poirier
Filed: October 11, 2001
A.U.: 1641
Examiner: Lam, Ann Y.

Confirmation No. 4572

**RECEIVED
CENTRAL FAX CENTER**

JUN 30 2005

Docket No.: 100560.0009US1
Customer No.: 34284

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of March 31, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.